

Adam Sudkins # A0316015

Name and Inmate Booking Number

Criminal Justice Center

Place of Confinement

2739 East Las Vegas Street

Mailing Address

Colorado Springs CO 80906

City, State, Zip Code

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Adam Sudkins,
Plaintiff

vs.

- (1) Clark County Detention Center,
 - (2) Las Vegas Metro Police,
 - (3) A. Finley LVMP Officer,
 - (4) Sgt Kelly LVMP Officer,
 - (5) Sgt Batu LVMP Officer
- Defendant(s).
Officer Farina LVMPD
Officer Juessen LVMPD
Officer J. Martin LVMPD

Case No. 2:22-cv-00878-APG-EJY
(To be supplied by Clerk of Court)

CIVIL RIGHTS COMPLAINT
BY AN INMATE

- ☒ Original Complaint
☒ First Amended Complaint
☐ Second Amended Complaint

☒ Jury Trial Demanded

A. JURISDICTION

- 1) This Court has jurisdiction over this action pursuant to:

- ☒ 28 U.S.C. § 1343(a)(3); 42 U.S.C. § 1983
☐ 28 U.S.C. § 1331; *Bivens v. Six Unknown Named Agents*, 403 U.S. 388 (1971)
☐ Other: _____

- 2) Institution/city where Plaintiff currently resides: Criminal Justice Center

- 3) Institution/city where violation(s) occurred: Clark County Detention Center

B. DEFENDANTS

1. Name of first Defendant: Sgt Kelly LVMPD ^{Officer}. The first Defendant is employed as:
Sergeant at Clark County Detention Center
(Position of Title) (Institution)
2. Name of second Defendant: Sgt Batu LVMPD ^{Officer}. The second Defendant is employed as:
Sergeant at Clark County Detention Center
(Position of Title) (Institution)
3. Name of third Defendant: A. Finley LVMPD ^{Officer}. The third Defendant is employed as:
Correctional Officer at Clark County Detention Center
(Position of Title) (Institution)
4. Name of fourth Defendant: A. Farina LVMPD ^{Officer}. The fourth Defendant is employed as:
Correctional Officer at Clark County Detention Center
(Position of Title) (Institution)
5. Name of fifth Defendant: Officer J. Martin LVMPD. The fifth Defendant is employed as:
Correctional Officer at Clark County Detention Center
(Position of Title) (Institution)

6. LVMPD Officer Jaessen Police Officer who made arrest
If you name more than five Defendants, answer the questions listed above for each additional Defendant on a separate page.

False Imprisonment Privacy, violated
NRS, 200.460 C. Unwarranted Search and Seizure
NATURE OF THE CASE
Briefly state the background of your case. 4th amendment right violated
Officer NV State Const. 179.1175, 179.118, 179.1185

In Feb on the 11th Jaessen conducted an unwarranted search and seizure without my consent during a traffic stop without probable cause to conduct an investigatory stop claiming my blue chevy cobalt registered in Idaho was a black unregistered vehicle operating on a vegas road. No crime was being committed or had been committed. He threatened me for my identification through coercion or, body cam to what led up to an unwarranted arrest for what he claimed was a fully extraditable warrant out of Colorado. No warrant of this type existed. I was not a fugitive from justice and had not in any way obstructed justice. He doesn't so much as mention my girlfriend Nicole Mesaros (702) 525-2612 a major witness to these facts was even present on the arrest scene. Then he seizes my car without justification to which it was questioned.

I wasn't even allowed bond for 78 days prior to the governor's warrant under by the law of NRS 179.207 and 179.211 which is a serious issue!

D. CAUSE(S) OF ACTION

CLAIM 1

1. State the constitutional or other federal civil right that was violated: Officer J. Martin at Clark. City Det. Contr. Threatened to tie me to a chair to take my DNA until by threat of force I gave in!
2. **Claim 1.** Identify the issue involved. Check **only one**. State additional issues in separate claims.

- ☐ Basic necessities ☐ Medical care ☐ Mail
- ☐ Disciplinary proceedings ☐ Exercise of religion ☐ Property
- ☐ Access to the court ☒ Excessive force by officer ☐ Retaliation
- ☒ Threat to safety ☐ Other: _____

3. **Date(s) or date range** of when the violation occurred: Feb 2022

4. **Supporting Facts:** State as briefly as possible the FACTS supporting Claim 1. Describe exactly what **each specific defendant (by name)** did to violate your rights. State the facts clearly in your own words without citing legal authority or argument.

After being held without a warrant or charged with a crime at CCDC Officer J Martin whos a C/O came to me for a buccal swab on numerous occasions in each occasion threatening me via coercion to obtain a buccal swab without a warrant? I told him and his fellow officers on all occasions to get a warrant signed by a judge to which I would willingly give my DNA. Instead of following the laws of warranted searches and seizures he would kick my door waking me up suddenly at all hours to corner me with his fellow officers. They would laugh and intimidate me each time making me jump thinking this behavior was ok. Finally after the abuse continued on about the 4th or 5th time I fearfully gave in under duress. I asked why J. Martin thought this was ok he said because it was his job laughing at me about kicking my door and enjoying startling and harassing me. This is not ok I ask that the DNA is destroyed.

I was never ever allowed appointed counsel as my 6th amendment right and legal right under 179.197.

CLAIM 2

1. State the constitutional or other federal civil right that was violated: Prison Rape Elimination Act by Correctional officers sexual assault and failure to abide by policy and procedure

2. Claim 2. Identify the issue involved. Check only one. State additional issues in separate claims.

☐ Basic necessities

☐ Medical care

☐ Mail

☐ Disciplinary proceedings

☐ Exercise of religion

☐ Property

☐ Access to the court

☒ Excessive force by officer

☐ Retaliation

☒ Threat to safety

☒ Other: Sexual Assault X2

3. Date(s) or date range of when the violation occurred: March 2022 / April 2022

4. Supporting Facts: State as briefly as possible the FACTS supporting Claim 2. Describe exactly what each specific defendant (by name) did to violate your rights. State the facts clearly in your own words without citing legal authority or argument.

Sgt Batu in aprox March 2022 while I was held without charges or a warrant at Clark County Detention Center came to me to address a grievance I wrote about the DNA taken, seizure of my car and property, the fact that I was kept out of court by LUMPD C/O'S @ CCDC ext got irritated with me while addressing the issues in the lobby port. This is on camera, filed with citizen review board and also grievances on kiosk, sent me to the hole for discipline due to my desperation and instead of helping me he took me to the hole in which him and 3 other officers strip searched me then he turned off his body cam and asked the other 3 officers to leave the room then he grabbed me inappropriately, smacking me from behind, he was grabbing his genitals and yelling at me slapped my back and pushed me into the wall then down on a bunk. I was terrified. This was also reported to ppra. In April 2022 Sgt Kelly of LUMPD C/O at CCDC made all of us men, 75 of us in I believe Nora ward get into the shower with 1 male c/o and two female medical staff and forced us to expose our genitals under threat of disciplining if we refused. This was horrible and also grievance and reported to ppra and citizen review board!

CLAIM 3

1. State the constitutional or other federal civil right that was violated: *Medical Care Denied, Religious Services Denied, Property Taken, Religious Diet Ignored, and I was kept out of court for months!*
2. Claim 3. Identify the issue involved. Check only one. State additional issues in separate claims.
- | | | |
|---|--|--|
| <input type="checkbox"/> Basic necessities | <input checked="" type="checkbox"/> Medical care | <input type="checkbox"/> Mail |
| <input type="checkbox"/> Disciplinary proceedings | <input checked="" type="checkbox"/> Exercise of religion | <input checked="" type="checkbox"/> Property |
| <input checked="" type="checkbox"/> Access to the court | <input checked="" type="checkbox"/> Excessive force by officer | <input type="checkbox"/> Retaliation |
| <input checked="" type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: <i>All has been reported to citizen review board and grievance through jail kiosk system</i> | |
3. Date(s) or date range of when the violation occurred: *Feb - June 2022*
4. Supporting Facts: State as briefly as possible the FACTS supporting Claim 3. Describe exactly what each specific defendant (by name) did to violate your rights. State the facts clearly in your own words without citing legal authority or argument.

When I was booked into jail by C/O Farina he lost my wallet, \$500 cash, Washington Drivers license, phone, laptop ext. On camera booking officers can be heard falling on my wallet and other property was with my personal property. This was not the case! Without my presence another officer signed off on my property where I was supposed to sign. Officer A. Finley threatened me to sign a waiver for extradition without a judge present failing to inform me of my rights by 179.197 in willful non-compliance of this statute! Then she kept me out of court from Feb 11th until April 18th which I was falsely imprisoned! For the warrantless arrest not held under oath by a judge magistrate and also was never allowed bond! Until she finally served me a fake copy of a garners warrant on 5/3/22 only 10 days before my 90 day release date! She signed as if she had the original and had read me my rights under 179.197, she

If you assert more than three claims, answer the questions listed above for each additional claim on a separate page

did not! She also falsified a new booking slip on 4/27/22. On numerous occasions I wasn't fed my kosher diet and starved. My personal legal documents and my bible were taken during shakedowns and I was kept out of court for 68 days. This is all very illegal.

It's the officers responsibility to take me before a judge within 72 hours. Not 68 days as they kept me out of court!

E. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while incarcerated? ☒ Yes ☐ No
2. Has this Court or any other court designated you as subject to "three strikes" under 28 U.S.C. § 1915(g)? ☐ Yes ☒ No
3. If you have "three strikes" under 28 U.S.C. § 1915(g), does this complaint demonstrate that you are "under imminent danger of serious physical injury?" ☒ Yes ☐ No

I was and still am to this day!

F. REQUEST FOR RELIEF

I believe I am entitled to the following relief:

Destroy DNA
Replacement/Compensation
 of My 2008 Chevy Cobalt that had my tools, equipment and other property that was sold w/out due process not allowing me to legally get my property back, nominal damages for the 2 sexual assaults by LUMPD C/O's to include a summary judgment, actual damages, punitive damages, intentional infliction of emotional distress, monetary claim for failure to train and whatever else the court sees fit for my pain/suffering.

I understand that a false statement or answer to any question in this complaint will subject me to penalties of perjury. I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT. See 28 U.S.C. § 1746 and 18 U.S.C. § 1621.

(name of person who prepared or helped prepare this complaint if not the plaintiff)

(signature of plaintiff)

9/13/22
 (date)

Uniform Criminal Extradition act only allows 90 days to be held to extradition per URS. This was ignored I was arrested 2/11/22 and extradited at day 116 on 6/6/2022. This is illegal!

ADDITIONAL PAGES

You must answer all questions concisely in the proper space on the form. Your complaint may not be more than 30 pages long. It is not necessary to attach exhibits or affidavits to the complaint or any amended complaint. Rather, the complaint or any amended complaint must sufficiently state the facts and claims without reference to exhibits or affidavits. If you need to file a complaint that is more than 30 pages long, you must file a motion seeking permission to exceed the page limit and explain the reasons that support the need to exceed 30 pages in length.

I should have been released on 5/13/22 after being held for 90 days via 179.207 and 179.211, yet they held me for 90 days via extradition way past 90 days. 116 day 116 to allow

Dove, Trey

NO339035

FILED	FILED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
SEP 19 2022	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY:	DEPUTY

U.S. District Court of Nevada
333 Las Vegas Blvd
Room #1334
Las Vegas NV 89101